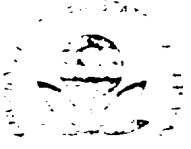


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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
230 SOUTH DEARBORN ST  
CHICAGO, ILLINOIS 60604

REPORT TO ATTENTION OF  
SHR

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Champion Packaging Company  
4949-T Stickney Avenue  
Toledo, OH 43612

Re: Environmental Conservation and Chemical Corporation (Enviro-Chem)  
865 South U.S. 421  
Boone County  
Zionsville, Indiana

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) has documented the release and threatened release of hazardous substances, pollutants and contaminants at the above referenced site. U.S. EPA anticipates spending public funds at this site to conduct a remedial investigation and feasibility study as further detailed below.

Under the Comprehensive, Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 et seq., and other laws, responsible parties may be liable for all monies expended by the Federal Government to take necessary response action at uncontrolled hazardous waste sites. Such costs may include, but are not limited to expenditures for enforcement, investigation, planning, and removal and remedial actions at the site.

Responsible parties under CERCLA include the current and past owner and operator, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the site. Based upon site records, manifests and other documents, U.S. EPA has information which indicates that you are a responsible party.

A list of all generators who used the site has been developed by U.S. EPA and the State of Indiana for enforcement purposes. A copy of the list is enclosed for the sole purpose of facilitating the efforts of those responsible parties who wish to work among themselves to explore settlement opportunities.

This letter consists of three parts. The first part is to notify you of the actions which U.S. EPA is planning to take pursuant to CERCLA at the Enviro-Chem site. The second part is to advise you that EPA will meet with responsible parties to answer questions and to offer an opportunity for them to proceed with voluntary remedial activities at the site. The third part is a request for information pursuant to Section 104 of CERCLA and Section 3007 of the Resource Conservation and Recovery Act, as amended (42 U.S.C. §9601 et seq.).

- I. EPA is currently planning to conduct the following activities at the Enviro-Chem site:

- (1) a Remedial Investigation to determine the nature and extent of the uncontrolled hazardous waste problem at the site and to gather all necessary data to support the conduct of a feasibility study;
- (2) a Feasibility Study, the purpose of which is to evaluate remedial action alternatives and to identify the cost-effective remedial action to be taken at the site.

After the remedial investigation and feasibility study are completed, U.S. EPA will implement the appropriate remedial alternatives to address the problems caused by contamination of the surface and sub-surface soils and waters at the site.

Our information indicates that the site contains over 23,000 drums of liquid and solid wastes, about 300,000 gallons of bulk storage liquids and approximately one million gallons of contaminated cooling pond liquids. These materials pose an immediate threat which must be addressed as soon as possible. Consequently, U.S. EPA will conduct a focused study at an accelerated pace to determine how to best abate this threat. After completion of the focused study, the hazardous wastes on site will be promptly addressed.

II. U.S. EPA will immediately move forward with the investigations and studies described above. The Agency would, however, like to encourage all responsible parties to participate in voluntary removal and remedial activities.

The U.S. EPA is particularly interested in receiving notification of your intent to undertake immediate action to remove the drums, barrels, bulk wastes and contaminated liquids. U.S. EPA has scheduled a meeting for April 13, 1983, at the Crystal Ballroom, Blackstone Hotel, 636 South Michigan Avenue, Chicago, Illinois 60605; beginning at 10:00 am. At that time, all responsible parties will be given an opportunity to submit proposals for voluntary action at the site. The Agency is willing to provide a limited release from liability to the extent that such voluntary actions are found acceptable to U.S. EPA and the State of Indiana. Such voluntary action would also be a factor to be considered by U.S. EPA when an assessment is made for liability for the entire cleanup of the site.

You should notify U.S. EPA in writing within fourteen (14) calendar days of the receipt of this letter as to whether you will be willing to participate in voluntary remedial activities at the site. Your letter should be sent to:

Mr. Robert E. Leininger  
Assistant Regional Counsel (5C-16)  
U.S. EPA  
230 S. Dearborn Street  
Chicago, Illinois 60604

Your letter should indicate the appropriate name, address, and telephone number for further contact with you in addition to a statement of the activities you may be willing to undertake. If you need further information on the nature and extent of release or threatened release, or on our determination that you may be a responsible party, you may contact the On-Scene Coordinator, Mr. Jonas A. Dikinis at (312) 886-7572.

III. Information Request Pursuant to Section 104(e) of CERCLA and Section 3007 of the Resource Conservation and Recovery Act (RCRA).

This is a request by the United States Environmental Protection Agency (U.S. EPA) pursuant to the above-cited authority for information relating to the Enviro-Chem site, located in Zionsville, Indiana.

The information requested below must be provided within thirty days following receipt of this request to the Office of Regional Counsel, United States Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Attention: Robert E. Leininger.

1. A description of each and every shipment of solid or liquid wastes, oils, sludges, caustics, acids or other materials that your company transported or had transported to the Enviro-Chem site during the period of its operation. The description shall include the following:
  - a. Dates of transport
  - b. Identity of transporter
  - c. Method of transport
  - d. Volume or quantity of materials per transport
  - e. General description of the types of materials transported
2. Copies of all records, contracts, invoices, manifests, bills of lading, ledgers, account books, correspondence or other documents evidencing both general and specific agreements or arrangements with Enviro-Chem or other companies or persons regarding the handling, disposal or treatment of waste at the Enviro-Chem site.
3. Copies of any and all documents relating to sampling or chemical analyses either performed by or on behalf of your company or communicated to you by some other party concerning materials transported to the Enviro-Chem site.
4. Copies of all records, contracts, invoices, bills of lading, ledgers, account books, correspondence, or other documents evidencing agreements or arrangements for the transport of materials to the Enviro-Chem site.
5. A complete listing of all past and present employees who authorized shipments of materials to the Enviro-Chem site. This listing shall include the employee's title.

For the purpose of answering this Information Request, the following definitions shall apply:

1. "Person" shall include any natural person, corporation, partnership, association, company, assumed name or other legal entity.
2. "Enviro-Chem" includes any corporate officer, director, employee, agent, contractor, subcontractor, or any person who conducted or did business at the Enviro-Chem site.
3. "Document" means and includes all written, typewritten, drawn or printed materials whatsoever, and all information kept or recorded on magnetic or electronic media, however the same are produced or reproduced and wherever the same are located; including, but not limited to, correspondence, letters, agreements, contracts, memoranda of agreement, telegrams, inter-office communications, assignments, licenses, memoranda, reports, record books, manifests, logs, scrapbooks, diaries, minutes, plans, drawings, photographs, photocopies, invoices, checks, bills, vouchers, analyses, surveys, publications and all other written material of which you, your employees or agents have knowledge or information and includes, without limitation, originals, copies no matter how or by whom prepared, and all drafts prepared in connection with such writings or documents, whether used or not.
4. "Waste" includes, but is not necessarily limited to, any solid or liquid waste, incinerator residue, sludge, chemical or biological waste, or industrial waste.
5. "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.
6. "Treatment" means any method or technique designed to change the physical, chemical, or biological character or composition of any waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste nonhazardous or less hazardous, safer to transport, store, or dispose of or amenable for recovery, amenable for storage, or reduced in volume.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You are entitled to assert a claim of confidentiality for any information produced that if disclosed to persons other than officers, employees, or duly authorized representatives of the United States would divulge information entitled to protection under Section 1905 of Title 18 of the the United States Code. Any information which the Administrator of this Agency determines to constitute methods, processes or other business information entitled to protection as trade secrets will be maintained as

confidential pursuant to the procedures set forth in 40 CFR Part 2. A request for confidential treatment must be made when the information is provided since any information not so identified will not be accorded this protection by the Agency.

The written statement submitted pursuant to this request must be notarized and returned under an authorized signature certifying that all statements contained therein are true and accurate to the best of the signatory's knowledge and belief. Should the signatory find at any time after submittal of the requested information that any portion of this submittal certified as true is false, the signatory should so notify U.S. EPA. If any information certified as true is found to be untrue, the signatory can be prosecuted under Section 1001 of Title 18 of the United States Code.

Your reply to this Request for Information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at the site.

I look forward to meeting with you on April 13, 1983, to discuss proposals for voluntary remedial action at the Enviro-Chem site.

Sincerely,

A handwritten signature in dark ink, appearing to read "Basil G. Constantelos", with a stylized, flowing script.

Basil G. Constantelos, Director  
Waste Management Division